

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Antoine J. China, # 292911,	)	C/A No.: 5:13-0091-JMC-KDW
	)	
Plaintiff,	)	
	)	
v.	)	ORDER
	)	
Lt. Marksberry; Major Nettles; Warden	)	
Fred B. Thompson; and William R. Byars,	)	
Jr. Director,	)	
	)	
Defendants.	)	
	)	

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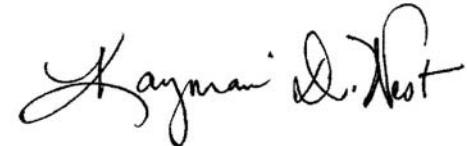
Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983.

This matter is before the court on Plaintiff's Motion to Compel filed on August 12, 2013. ECF No. 35. Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under 42 U.S.C. § 1983.

Plaintiff's motion asks the court to compel Defendants "to answer fully interrogatories and Request for Production (19) unanswered questions." ECF No. 35 at 1. Plaintiff argues that he served his discovery requests on June 10, 2013, and that Defendants have not responded. *Id.* Plaintiff also requests reasonable costs related to obtaining his requested relief. *Id.* Defendants oppose Plaintiff's Motion to Compel arguing that they responded to Plaintiff's discovery requests on August 16, 2013. ECF No. 36 at 1. Defendants acknowledge that discovery responses were not timely served but contend that "due to the extent of documents requested by Plaintiff, extra time was needed to contact various divisions within the Department of Corrections to obtain them." *Id.* Defendants further argue that Plaintiff was not prejudiced by their slight delay in responding. *Id.* Defendants also request that Plaintiff's request for monetary

sanctions be denied. *Id.* at 2. Plaintiff has not responded to Defendants' assertions that they have now complied with Plaintiff's discovery requests and that Plaintiff was not prejudiced by their delay in responding. As it appears that Defendants have fully responded to Plaintiff's timely-served discovery requests, Plaintiff's Motion to Compel, ECF No. 35, is denied.

IT IS SO ORDERED.



September 9, 2013  
Florence, South Carolina

Kaymani D. West  
United States Magistrate Judge